

**UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAM F. WALKER,
Plaintiff

v.

NCO FINANCIAL SYSTEMS, INC.,
Defendant

Civil Action No.: 10-3907

PLAINTIFF'S PETITION FOR ATTORNEY'S FEES

The Plaintiff, William F. Walker, by his attorney, petitions this Court pursuant to Fed. R. Civ. P.54(d) and 15 U.S.C. §§ 1681n and 1681o for his reasonable attorney's incurred in this case. In support of this petition, Plaintiff states as follows:

1. On September 3, 2010, Defendant, NCO Financial Systems, Inc., filed an Offer of Judgment. See Exhibit "A".

2. Defendant's offer provides that Defendant agrees to entry of judgment against it in the amount of \$1,000, in addition, it provided "[t]he Judgment entered shall also include an amount for reasonable costs and attorney's fees accrued through the date of this Offer of Judgment. Reasonable costs and attorney's fees are to be agreed upon by the parties, or, if the parties are unable to agree, to be determined by the Court on application by Plaintiffs counsel subject to the limitation that attorney's fees and costs are cut off as of the date of this Offer of Judgment[.]" See Exhibit "A".

3. On September 3, 2010, Plaintiff accepted of Defendant's offer.

4. Despite the best efforts of the parties, there has been no resolution as to the amount of attorney's fees Plaintiff's counsel shall be paid.

5. Plaintiff is entitled to reasonable attorney's fees pursuant to the wording of the Rule 68 Offer of Judgment and under 15 U.S.C. § 1692k(a)(3).

6. Plaintiff submits in support of his petition the Declaration of Craig Thor Kimmel his attorney (Exhibits "C"), his attorney's itemized time records for this case (Exhibit "B"), the Declaration of Nicholas Bontrager (Exhibit "G"). This petition is also accompanied by Plaintiff's Memorandum in Support of his Petition for Attorney's Fees.

7. Should Plaintiff incur additional attorney's fees in pursuing this petition, Plaintiff will supplement his attorney's itemized time records accordingly.

WHEREFORE, Plaintiff respectfully requests this Court to:

A. Award Plaintiff his reasonable attorney's fees incurred in this case, in the amount of \$2,925.50;

B. Enter judgment accordingly; and

C. Grant such other relief as may be just and proper.

Respectfully submitted,
Kimmel & Silverman, LLC
s/ Craig Thor Kimmel
Craig Thor Kimmel

Dated: September 28, 2010